(Spl.-H.C.A.S.,C.D.,78-e)

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF BOMBAY AT GOA
APPELLATE SIDE

WRIT PETITION NO. 337 OF 2004

Office Note, Office Memoranda of Quorum, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's Orders

Mr. E. Dias, advocate for the petitioners.

Mr. M. S. Bandodkar, advocate for the respondent.

CORAM : P. V. HARDAS, J.

DATE : 19th August, 2004

P.C.:

Mr. Dias, learned counsel for the petitioners states that the petitioners may be permitted to withdraw this petition and requests that the trial Court be requested to decide the question of jurisdiction uninfluenced by the observations made by the Appellate Court in respect of the jurisdiction of the Civil Court.

Mr. Bandodkar, learned counsel appearing for the respondents, has no objection for the petitioners taking recourse to this.

Accordingly, Writ Petition No. 337 of 2004 is dismissed as withdrawn and the trial Court is directed to decide the suit on merits and if necessary, by framing a preliminary issue in respect of jurisdiction and decide the same on merits uninfluenced by the observations made by the Appellate Court. It is expected that the trial Court shall decide the suit as expeditiously as possible.

Writ Petition No.337 of 2004 is dismissed with the aforesaid direction.

P. V. HARDAS, J.

mc.